

## State of Women's Coverage: Health Plan Violations of the Affordable Care Act

### Key Findings

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*The Affordable Care Act has made dramatic improvements in women's health coverage by correcting long-standing insurance practices that discriminated against women and left women without coverage for critical health services. Yet, in a new study of coverage offered on health insurance marketplaces in 15 states, the National Women's Law Center found violations of the Affordable Care Act requirements for women's health. The extent of these violations suggests that women covered by other issuers, and in other states, are also being denied coverage for services to which they are entitled by law.*

### Over Half of the Issuers in the Report Offer Coverage that Violates the ACA's Standards

- NWLC reviewed coverage offered on health insurance marketplaces in 15 states: Alabama, California, Colorado, Connecticut, Florida, Maine, Maryland, Minnesota, Nevada, Ohio, Rhode Island, South Dakota, Tennessee, Washington, and Wisconsin.
- This research identified the following violations:
  - o Fourteen issuers across seven states offer maternity coverage that does not comply with the ACA, such as excluding maternity care coverage for dependents.
  - o Fifty-six issuers across thirteen states offer coverage of preventive services that does not comply with the ACA, from imposing impermissible limits on coverage of breastfeeding supports and supplies, to not covering well-woman visits as required, to offering coverage of genetic testing that does not comply with the law, to failing to offer birth control coverage as required by law.
  - o One issuer in one state impermissibly limited coverage of abortion.
  - o Seven issuers in four states impermissibly limit essential health benefits in ways that restrict women's access to critical services, such as improperly limiting drug coverage and maintenance therapies or establishing waiting periods for certain services.
  - o Ninety-six issuers across twelve states offer coverage that does not comply with non-discrimination provisions of the ACA, such as violating prohibitions on sex discrimination, restricting coverage based on age, excluding care for transgender people, or excluding coverage of chronic pain treatment.

### Denying Women This Coverage Has a Very Real Impact

These violations mean that women enrolled in these plans may pay more than they should for covered services, may be without coverage for health needs that issuers are required to cover by law, and may end up going without the care they need, even though they have health insurance.

### Insurance Issuers and State and Federal Regulators Must Act to Improve Marketplace Coverage for Women

- Insurance issuers must know the law and ensure their plans comply with it; correct identified problems immediately; and establish clear coverage policies so that women know which services are covered.
- State and federal regulators must provide stronger oversight to ensure plans comply with the ACA; open all proposed plans for public comment; ensure that coverage documents are publicly available; inform women about the law and its coverage requirements; collect data on plan violations to inform future policymaking; and broadly publicize the appeals process so women will know what to do if their plan violates the law.